



# CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 8-A-19-AC

**AGENDA ITEM #:** 6

**AGENDA DATE:** 8/8/2019

► **APPLICANT:** WEI ZHENG

TAX ID NUMBER: 109 I G 014

[View map on KGIS](#)

JURISDICTION: Council District 1

SECTOR PLAN: South City

GROWTH POLICY PLAN:

ZONING: R-1A (Low Density Residential)

WATERSHED: Goose Creek

► **RIGHT-OF-WAY TO BE  
CLOSED:** Unnamed alley

► **LOCATION:** Between Baldwin Avenue and Henry Avenue

IS ALLEY:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

► **APPLICANT'S REASON  
FOR CLOSURE:** Add property from half of the alley to increase lot size of 101 Henry Avenue (109IG014) to build a duplex.

DEPARTMENT-UTILITY  
REPORTS: No objections from any other departments or utilities have been received by staff as of the date of this report.

## STAFF RECOMMENDATION:

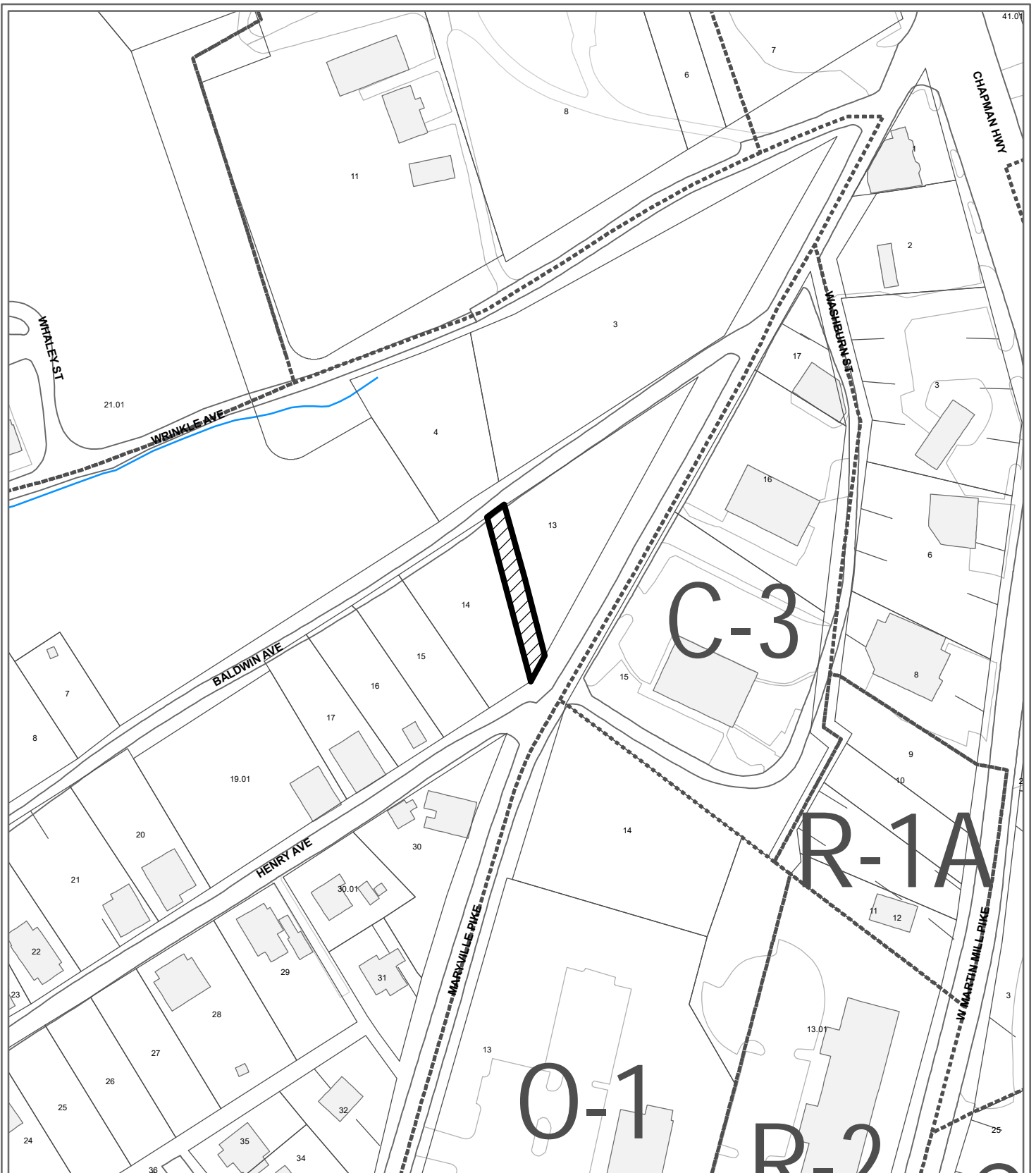
► **Approve the requested closure of the unnamed alley, subject to any required easements.**

Not having received any objections to this request, and given the unnamed alley is undeveloped, staff recommends closure.

## COMMENTS:

1. The unnamed alley is undeveloped.
2. If approved for closure, half of the alley will be combined with the adjacent parcel at 101 Henry Ave, which the applicant owns.
3. Staff has received no objections, but the following departments had these comments:
  - The City Engineering Department has no objections to close the above described right-of-way area. However, should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities if there are any current facilities located in or within five (5) feet of the property described herein. If any existing facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering and/or other applicable easement holder review and approval.
  - AT&T does not wish to relinquish any ROW or utility easements at this time.

If approved, this item will be forwarded to Knoxville City Council for action on 9/10/2019 and 9/24/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**8-A-19-AC**  
**CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: unnamed alley  
To be closed from: Baldwin Avenue  
To be closed to: Henry Avenue

Original Print Date: 7/15/2019 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Zheng, Wei

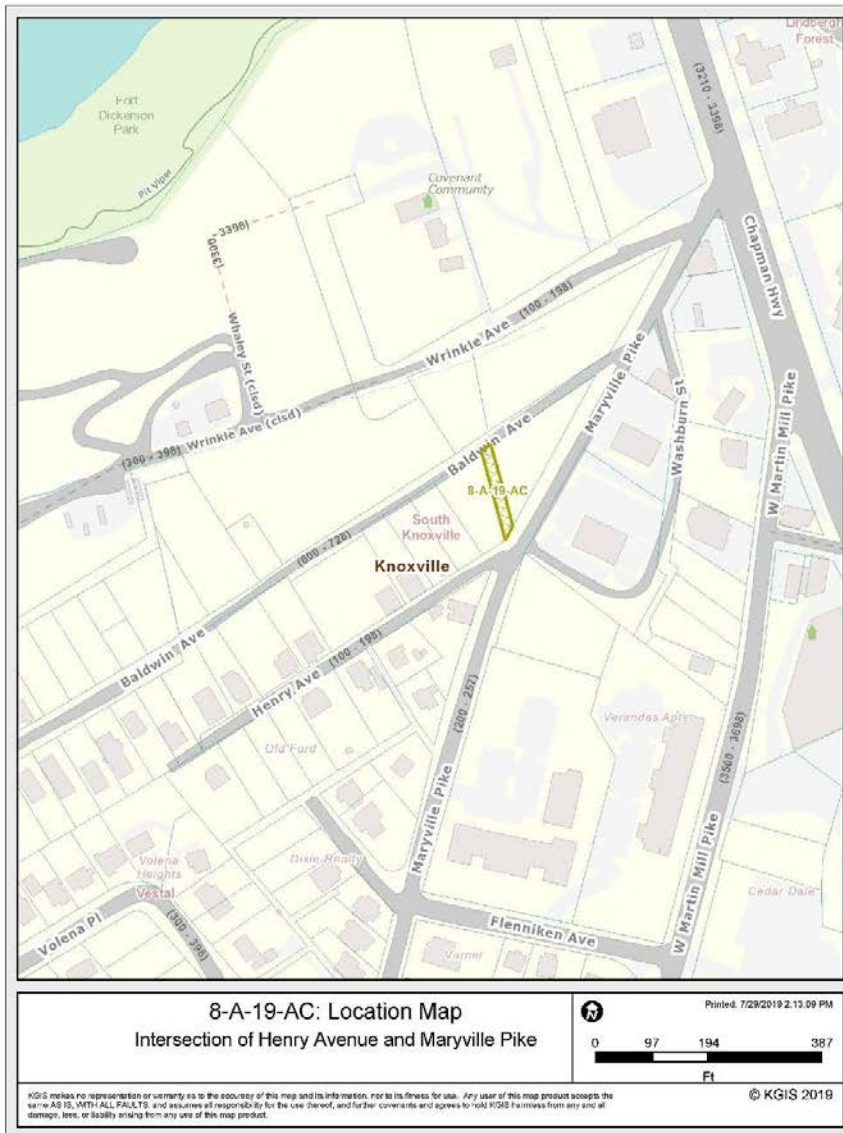
Map No: 109  
Jurisdiction: City

0 125  
Feet



## 8-D-19-RZ

### Exhibit A. Contextual Images



## REQUEST FOR INFORMATION

### RIGHT-OF-WAY CLOSURE

TO: Knoxville Utilities Board  
Danny Beeler, Fire Marshal  
Steve Borden, Regional Director, TN Dept. of Transportation  
James R. Hagerman, P.E., Director of Engineering  
Sonny Partin, Plans Reviewer, Fire Dept.  
Kelly Parmain, AT&T  
Shannon Sims, AT&T  
Ben Davidson, Department of Engineering  
Charlotte Goforth, Department of Engineering

FROM: Amy Brooks, AICP

DATE: July 2, 2019

SUBJECT: Request closure of unnamed alley between Baldwin Avenue and Henry Avenue, City Block 25375 and 25422, Council District 1, South City Sector.  
8-A-19-AC

Please give us the following information in writing regarding this proposed closure if your agency has an objection, or any conditions you wish considered with this request:

1. Is there any present or anticipated future need for this street/alley which in your opinion would warrant retaining it for public use?
2. What present use does it serve?
3. What future use is anticipated?
4. Do you oppose closing (vacating) it?
5. If closed (vacated), would easements meet your needs?
6. If easement will meet needs, please state easements required.

This request will be considered by the Knoxville-Knox County Planning Commission on August 8, 2019. A map showing the street or alley in question is attached for your information.

**PLEASE NOTE:** Failure to reply to our office by July 29, 2019 will be considered as no objection by your agency.

Attachment: Application



# CITY OF KNOXVILLE

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**Engineering**  
James R. Hagerman, P.E.  
Director of Engineering

July 30, 2019

Knoxville-Knox County Metropolitan Planning Commission (MPC)  
City-County Building, Suite 403  
Knoxville, Tennessee 37902

SUBJECT: Closure of an unnamed alley off Henry Ave  
MPC File # 8-A-19-AC; Nearby City Block 25375

MPC:

The City Engineering Department has no objections to close the above described right-of-way area. However, should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, if there are any current facilities, located in or within five (5) feet of the property described herein. If any existing facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering and/or other applicable easement holder review and approval.

Sincerely,

Benjamin D. Davidson, PLS, Technical Services Administrator  
Technical Services/Department of Engineering  
Ph: 865-215-2103





Dori Caron &lt;dori.caron@knoxplanning.org&gt;

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**8-A-19-AC**

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**Steve Borden** <Steve.Borden@tn.gov>

Mon, Jul 29, 2019 at 9:11 AM

To: Michelle Portier <michelle.portier@knoxplanning.org>, Ben Davidson <bdavidson@knoxvilletn.gov>, Charlotte Goforth <cgoforth@knoxvilletn.gov>, Christian Wiberley <Christian.Wiberley@kub.org>, Danny Beeler <dbeeler@knoxvilletn.gov>, James Hagerman <jhagerman@knoxvilletn.gov>, Sonny Partin <spartin@knoxvilletn.gov>  
Cc: Amy Brooks <amy.brooks@knoxmpc.org>, Dori Caron <dori.caron@knoxplanning.org>

TDOT Operations has no comment since this alley does not adjoin a state route or right-of-way.

**Steven M. Borden, P.E.** | Director/Assistant Chief Engineer

TDOT – Region 1

[7345 Region Lane](#)[Knoxville, TN 37914](#)[\(865\) 594-2400](#)[Steve.Borden@tn.gov](mailto:Steve.Borden@tn.gov)[tn.gov/tdot](http://tn.gov/tdot)**From:** Michelle Portier [mailto:[michelle.portier@knoxplanning.org](mailto:michelle.portier@knoxplanning.org)]**Sent:** Monday, July 29, 2019 9:07 AM**To:** Ben Davidson; Charlotte Goforth; Christian Wiberley; Danny Beeler; James Hagerman; Sonny Partin; Steve Borden**Cc:** Amy Brooks; Dori Caron**Subject:** [EXTERNAL] Re: 8-A-19-AC

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\***

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## Fire Prevention Bureau

City of Knoxville  
400 Main Street, Suite 539  
Knoxville, TN 37902

### Memorandum

Date: July 30, 2019

To: Jeff Archer and Sherry Michienzi

From: Sonny Partin, Deputy Fire Marshal

Subject: Request for Information on Right of Way Closures, Fire Department Review

Road Name	Review Status	Comments
1. 8-A-19-AC (Henry)	Approved	Map on application does not seem to match KGIS map

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July 5, 2019

Amy Brooks, Planning Services Manager  
Knoxville-Knox County  
Metropolitan Planning Commission  
Suite 403, City-County Building  
Knoxville, Tennessee 37902

Dear Ms. Brooks:

**Re: Right-of-Way Closure Request 8-A-19-AC**

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate location of these facilities is indicated on the enclosed print. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not shown on this print.

Should this right-of-way be closed, KUB will require the following permanent easement for its utility facilities.

Electric – 10 feet on each side of the centerline of the electric line, 20 feet total width

If you have any questions regarding this matter, please call me at (865) 558-2483.

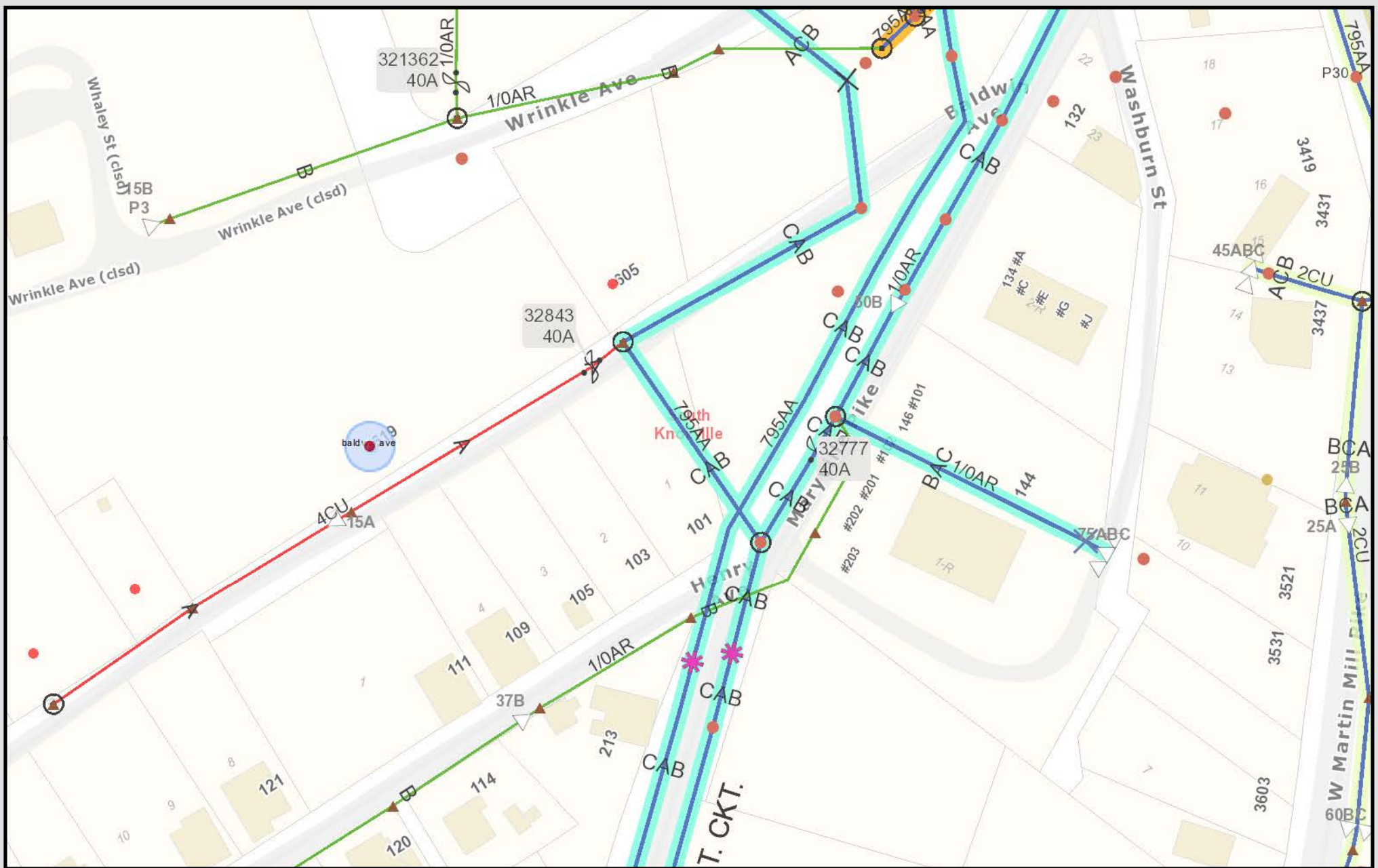
Sincerely,



Christian Wiberley, PE  
Engineering

CGW





## File No. 8-A-19-AC (Electric)

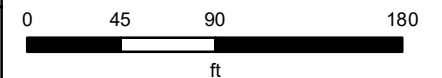
Unnamed alley between Baldwin Ave and Henry Ave

20 ft. total width electric easements

### Knoxville Utilities Board



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Dori Caron &lt;dori.caron@knoxplanning.org&gt;

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**8-A-19-AC**

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**PEARMAIN, KELLY** <kp6012@att.com>

Wed, Jul 3, 2019 at 7:49 AM

To: Dori Caron <dori.caron@knoxplanning.org>, Amy Brooks <amy.brooks@knoxplanning.org>, Amy Brooks <amy.brooks@knoxmpc.org>, Ben Davidson <bdavidson@knoxvilletn.gov>, Charlotte Goforth <cgoforth@knoxvilletn.gov>, Christian Wiberley <Christian.Wiberley@kub.org>, Danny Beeler <dbeeler@knoxvilletn.gov>, James Hagerman <jhagerman@knoxvilletn.gov>, Liz Albertson <liz.albertson@knoxplanning.org>, Liz Albertson <liz.albertson@knoxmpc.org>, "SIMMS, SHANNON R" <ss3775@att.com>, Sonny Partin <spartin@knoxvilletn.gov>, Steve Borden <steve.borden@tn.gov>, Michelle Portier <michelle.portier@knoxplanning.org>, "KNIGHT, ROBERT" <rk1580@att.com>

Mrs. Caron,

AT&amp;T does not wish to relinquish any ROW or utility easements at this time.

**Kelly Pearmain**

MGR OSP PLNG &amp; ENG DESIGN

AT&amp;T Technology Operations, Construction &amp; Engineering SE

**AT&T**

9733 Parkside Dr

Knoxville, TN 37922

O:865-539-8580 / [kp6012@att.com](mailto:kp6012@att.com)

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# M P C

METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N  
T E N N E S S E E

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
FAX • 215 • 2068  
www.knoxmpc.org

## RIGHT-OF-WAY CLOSURE

Name of Applicant: Wei Zheng  
 Date Filed: 6-20-19 Fee Paid: 400<sup>00</sup> File Number: 8-A-19-AC  
 Map Number: 109 Zoning District: R-1A ☒ City ☐ County Sector: South City  
 Jurisdiction: ☒ City 1 Councilmanic District

RECEIVED

JUN 20 2019

Knoxville-Knox County  
Planning

### INFORMATION:

Name of Right-of-Way: unnamed alley  
 Type of Right-of-Way: ☐ Street ☒ Alley  
 Location of Right-of-Way:  
 BETWEEN (City Block or Lot where appropriate) 25375  
 AND (City Block or Lot where appropriate) 25422  
 Right-of-Way is: In Use ☐ Yes ☒ No Improved (example: paved) ☐ Yes ☐ No  
 Reason for Closure: to add to property of owner to expand lot size  
of 101 Henry Avenue (109IG014) to build home

### TO BE CLOSED:

From: (Street, Alley, Other)

Baldwin Avenue south

To: (Street, Alley, Other)

Henry Avenue

### ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

WEI ZHENG 436 Gwinhurst Rd TN 37934 3128232855  
 Name: (Print) Address • City • State • Zip • Phone • Fax  
Knoxville

### AUTHORIZATION OF APPLICATION:

I hereby certify that I am the authorized applicant, or representing the applicant and ALL property owners involved in this request or holders of option on same.

Signature: Wei Zheng

same as above

Name: (Print) Address • City • State • Zip • Phone • Fax

### APPLICATION ACCEPTED BY:

Sherry Michienzi



## RIGHT-OF-WAY CLOSURE CANVASS FORM

All owners and holders of option on property abutting the proposed closure must sign the list below and express their opinion about this closure. A map showing the location and addresses of these properties must accompany this application.

[illegible]

25330

WHALEY ST

WRINKLE AVE

2

ORD.6198

Ward - 25

25422

WASHBURN ST  
(SEVIER)

C.M. FORD  
ADD.  
3 2 1

AKINS  
PROPERTY  
1

25375

HENRY AVE

25373

BALDWIN AVE

25374

25411

25421

SJS INVESTMENTS,  
LLC PROPERTY

MCCARTY AVE

DOOLEY

11R1-1  
11R2-1

W BLOUNT

VOLENA HILLS

VOLENA PL

W.G. DAVIS  
S/D

MARYVILLE PIKE

FLENNIKEN AVE

WARNER  
ADD.

13AR

12AR

PT.11

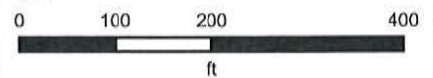
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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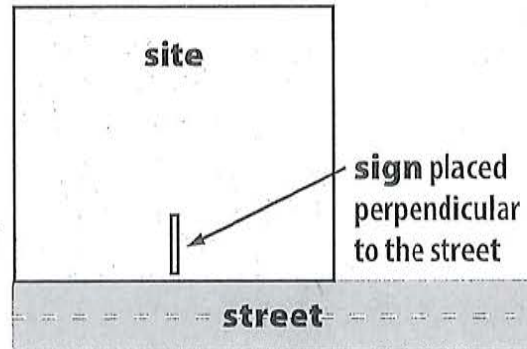
## REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

### LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



### TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

July 8th (Wed) and August 9th (Fri)  
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Worling

Printed Name: Wei Zheng

Phone: 312 823 2855 Email: worling@gmail.com

Date: June 20 2019

File Number: 8-A-19-AC